

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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U.S. DISTRICT COURT
SAN JUAN, PR

IN RE RIO PIEDRAS EXPLOSION
LITIGATION

CIVIL 96-2443CCC

O R D E R

The Motion to Seal filed by the PSC (**docket entry 1863**) is GRANTED.

Having considered the Motion Requesting Withdrawal of Legal Representation filed by attorney Renato Barrios in Civ. No. 97-2319 (**docket entry 1870**), the same is DENIED without prejudice. Attorney Barrios shall (1) clarify whether, in addition to the request to withdraw, he is also voluntarily dismissing the claims of the three plaintiffs which he will no longer be representing, and (2) identify the complaint allegedly filed by those plaintiffs' new attorney on their behalf mentioned at p. 2, paragraph 3 of the motion.

The Motion Requesting Authorization to Amend the Complaint filed by plaintiffs in Civil No. 97-2770 (**docket entry 1878**) is GRANTED. However, the tendered Amended Complaint for Addition shall not be filed, as it only contains allegations as to the newly added plaintiff Weida Ruiz-Rivera and omits all references to the other plaintiffs originally included in the action. Instead, plaintiffs are ORDERED to submit, within the final term of fifteen (15) days after notice, an Amended Complaint that shall identify all plaintiffs in its caption and include all the relevant allegations pertaining to them in its body.

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CIVIL 96-2443CCC

2

Inasmuch as the SIF, by filing a complaint on behalf of Ms. Ruiz-Rivera, has exercised its right of subrogation pursuant to 11 L.P.R.A. §32, the Motion Requesting Leave to Amend Complaint and Tender Same filed in Civil No. 97-2395 (**docket entry 1905**), which seeks inclusion of Ms. Ruiz-Rivera as a plaintiff in that action, is DENIED.

The Joint Motion Requesting Leave to Withdraw as Counsel of Record and for Appearance filed by attorneys Héctor R. Díaz-González and John E. Mudd in Civil No. 97-1740 (**docket entry 1902**) is GRANTED. The Clerk and the parties shall take notice that plaintiff Ronald Pérez-Espinosa will be represented from now on by the law firm of Ortiz-Toro and Ortiz-Brunet.

The Motion Requesting Dismissal Order be Amended filed by plaintiffs in Civil No. 97-2736 (**docket entry 1921**) is GRANTED. Accordingly, the Judgment entered on June 9, 2000 (**docket entry 1913**) dismissing this case for lack of prosecution is VACATED. Instead, judgment will be entered based on the Joint Motion for Voluntary Dismissal filed by the parties (**docket entry 1876**) dismissing this action, with prejudice.

The Motion Requesting an Enlargement of Time Within Which to Respond to Discovery filed by plaintiffs in Civil Nos. 97-1957, 97-1038, 97-2741, 96-2617, 99-1196, 96-2638, 97-2372, 97-2761, 97-1364, 99-1337, 97-2742, 97-1806 & 98-1572 (**docket entry 1946**) is MOOT.

The Motion for Extension of Time to Answer Defendants' Discovery filed in Civil No. 97-1172 (**docket entry 1947**) is MOOT.

CIVIL 96-2443CCC

3

The Motion Requesting Extension of Time to Answer Interrogatories, Requests for Production of Documents and Requests for Admissions filed in Civil Nos. 97-1167, 97-1109, 97-2674, 97-2675, 97-2709, 97-2710, 97-2711, 97-2712 & 97-2713 (**docket entry 1950**) is MOOT.

The Motion Requesting a Brief Extension of Time to Submit Expert Reports filed by plaintiffs in Civil No. 97-1287 (**docket entry 1953**) is MOOT.

The Motion for Leave to File Amended Complaint filed by plaintiff in Civil No. 97-1788 (**docket entry 1954**) is DENIED, as that case was dismissed on February 17, 1999.

The Motion Requesting Five (5) Day Extension to Answer Interrogatories filed by plaintiff in Civil No. 97-2728 (**docket entry 1955**) is MOOT.

The Motion Requesting Enlargement of Time in Which to Respond to Discovery filed in 41 consolidated actions (**docket entry 1956**) is MOOT.

The Motion to Strike Lost Income Claim filed by defendant Enron Corp. in Civil No. 97-1206 (**docket entry 1958**), having considered plaintiffs' opposition (**docket entry 1965**), is DENIED.

The Motion to Strike Lost Income Claim filed by defendant Enron Corp. in Civil No. 96-2570 (**docket entry 1959**), having considered plaintiffs' opposition (**docket entry 1966**), is DENIED.

The Informative Motion and Motion Requesting Order to Correct Incorrect Civil Numbers on Motions filed in Civil No. 97-1167 (**docket entry 1960**) is NOTED. The Clerk has informed that the motions were corrected on August 11, 2000 as requested on the motion.

CIVIL 96-2443CCC

4

The Notice of Death and Motion Requesting Substitution of Parties filed by plaintiffs in Civil No. 97-2711 (**docket entry 1961**) is NOTED. However, the Court NOTES that pursuant to F.R.Civ.P. 25(a)(1), plaintiffs had until November 9, 2000 to file their motion for substitution of parties, and it appears that they have failed to do. Accordingly, plaintiffs are ORDERED TO SHOW CAUSE, within the term of eleven (11) days after notice, as to why the action shall not be dismissed as to the deceased party.

The Motion Requesting Order to Defendants Requiring Them to Notify Copy of Their Motions filed by plaintiffs in Civil Nos. 97-2668 & 2669 (**docket entry 2024**) and the Second Motion (**docket entry 2051-C**) are NOTED. Defendants certified on September 1, 2000 that they served copy of their motion to plaintiffs' attorney (**docket entry 2028**). All attorneys are reminded of their obligations under F.R.Civ.P. 5.

The Motion Requesting Extension of Time filed by plaintiffs in Civil Nos. 96-2545, 96-2567, 96-2572, 96-2609, 97-1184, 97-1186, 97-1207, 96-2524, 96-2542, 96-2543, 96-2544, 96-2546, 97-1387, 97-1545 & 96-2453 (**docket entry 2040**) is MOOT.

The Second Motion Requesting Extension of Time to File Plaintiffs' Opposition to Defendants' Motion to Dismiss filed in Civil No. 97-2663 (**docket entry 2043**) is MOOT.

The Motion Requesting Permission to File a Fourth Amended Complaint filed in Civil No. 97-1287 (**docket entry 2045**) is GRANTED. The tendered Fourth Amended Complaint is ORDERED FILED.

The Motion Requesting Extension of Time to Respond to Defendants' Discovery filed in Civil Nos. 97-2721 & 97-1578 (**docket entry 2051-B**) is MOOT.

CIVIL 96-2443CCC

5

The Motion Requesting Extension of Time to Answer And/Or Present Objections to Defendants' Interrogatories filed in Civil Nos. 97-2770, 97-2669 & 97-2668 (**docket entry 2051-E**) is MOOT.

The Motion of Joseph S. Grinstein for Admission Pro Hac Vice (**docket entry 2053**) is GRANTED.

The Motion for Leave to File Statements of Reimbursables and Accounts of the Plaintiffs' Steering Committee Members Under Seal (**docket entry 2072**) is GRANTED.

The Motions for Sanctions for Failure to Answer Discovery Requests filed by defendant Enron Corp. against plaintiff Luisa Santiago-Medina (**docket entry 2076**), Justina Rivera-Del Moral (**docket entry 2077**), Jorge Rafael Ramos-Rivera (**docket entry 2078**), Elisa Mariam Ayala-Ramos (**docket entry 2079**), Janet Ramos-Rivera (**docket entry 2080**), Fernando Díaz-Torres (**docket entry 2081**), Israel Moisés Romero-Pacheco (**docket entry 2082**), Juan Pacheco-Rosado (**docket entry 2083**), Airis Angélica Romero-Pacheco (**docket entry 2084**), Elizabeth Romero-Pacheco (**docket entry 2085**), Lorenzo Carreras-Pérez (**docket entry 2086**), Hilda Rosario-Díaz (**docket entry 2087**), Carmen B. Heredia-Rodríguez (**docket entry 2088**), Ada Iris Mercado-López (**docket entry 2089**) and Pedro Valdés-Mercado (**docket entry 2090**), having considered the plaintiffs' opposition (**docket entry 2178**), are DENIED.

CIVIL 96-2443CCC

6

The Motion to Withdraw Motions to Dismiss filed by defendant Enron Corp. (**docket entry 2106**) is GRANTED. Accordingly, **docket entries 2046, 2047 & 2048** are deemed withdrawn.

The Informative Motion filed by the San Juan Gas defendants (**docket entry 2106-A**), considered as a motion to seal, is GRANTED.

The Request for Short Extension of Time filed by plaintiff Gloria Vázquez Rosa in Civil No. 97-1771 (**docket entry 2107**) is MOOT.

The Request for Short Extension of Time filed by plaintiffs Antonia Alvarez and Manuel de León in Civil No. 97-1770 (**docket entry 2108**) is MOOT.

The Motion to Withdraw Motion to Dismiss filed by defendant Enron Corp. (**docket entry 2163**) is GRANTED. Accordingly, **docket entry 2061** is deemed withdrawn.

The Motion to Withdraw Motion to Dismiss filed by defendant Enron Corp. (**docket entry 2164**) is GRANTED. Accordingly, **docket entry 2058** is deemed withdrawn.

The Motion for Extension of Time to Oppose Triad of Defendants' Motions to Exclude Expert Witnesses filed in Civil Nos. 96-2514, 96-2533, 96-2542, 97-1190 & 97-1384 (**docket entry 2165**) is MOOT.

The Motion Requesting Protective Order filed by the State Insurance Fund (**docket entry 2166**), considered as a request for an extension of time to answer defendants' discovery requests, is MOOT.

CIVIL 96-2443CCC

7

The Motion Withdrawing Urgent Motion to Preclude Plaintiffs' Expert Witnesses Without Prejudice filed by defendant Enron Corp. (**docket entry 2175**) is GRANTED. Accordingly, **docket entry 2145** is deemed withdrawn.

The Motion for Leave to File Reimbursables and Accounts of Former Member of the Plaintiffs' Steering Committee Andrés Guillemard-Noble Under Seal (**docket entry 2176**) is GRANTED.

The Request for Authorization to Amend Complaint filed by plaintiffs in Civil No. 97-1957 (**docket entry 2179**) is GRANTED. Accordingly, the tendered amended complaint is ORDERED FILED.

The Motion for Substitution of Deceased Plaintiff filed by plaintiffs in Civil No. 97-1920 (**docket entry 2180**) is GRANTED.

The Motion Requesting Authorization to Amend the Complaint filed by the Manager of the State Insurance Fund Corporation (SIF) in Civil No. 97-2770 (**docket entry 2187**) is DENIED. The Manager of the SIF is reminded that in his action of subrogation the injured worker is the real party in interest, and as such he must litigate fully the damages' claim against third parties on behalf of the beneficiary instead of being interested only in recovering his expenses as reflected by the allegations of the tendered Amended Complaint for Addition.

The Motion Requesting Leave to File Third Amended Complaint filed by plaintiffs in Civil No. 97-1296 (**docket entry 2188**) is GRANTED. The tendered Third Amended Complaint is ORDERED FILED.

CIVIL 96-2443CCC

8

The Motion for Extension of Time to Answer Interrogatories and Request for Production of Documents filed by plaintiffs in Civil No. 97-1200 (**docket entry 2189**) is MOOT.

The Motion for Extension of Time to Answer Interrogatories, Request for Admissions and Request for Production of Documents filed by plaintiffs in Civil No. 97-2616 (**docket entry 2191**) is MOOT.

The Motion for Extension of Time to Answer Interrogatories, Request for Admissions and Request for Production of Documents filed by plaintiffs in Civil No. 97-2598 (**docket entry 2192**) is MOOT.

The Motion for Extension of Time to Answer Interrogatories, Request for Admissions and Request for Production of Documents filed by plaintiffs in Civil No. 97-2596 (**docket entry 2193**) is MOOT.

The Motion for Extension of Time to Answer Interrogatories, Request for Admissions and Request for Production of Documents filed by plaintiffs in Civil No. 97-1357 (**docket entry 2194**) is MOOT.

The Motion for Leave to File Statements of Reimbursables and Accounts of Jorge Ortiz-Brunet Under Seal (**docket entry 2198**) is GRANTED.

The Motion for Leave to File Statements of Reimbursables and Accounts of the PSC Under Seal (**docket entry 2200**) is GRANTED.

The Motion for Leave to File Time Sheet Summaries of Jorge Ortiz-Brunet Under Seal (**docket entry 2202**) is GRANTED.

CIVIL 96-2443CCC

9

The Motion for Extension of Time filed by plaintiffs in Civil No. 97-1172 (**docket entry 2207**) is MOOT.

The Motion for Extension of Time to Answer Interrogatory and Request for Production of Documents filed by Integrand Assurance Company (**docket entry 2208**) is MOOT.

The Motion for Leave to File Time Sheet Summaries of Alvaro R. Calderón, Jr. Under Seal (**docket entry 2213**) is GRANTED.

The Motions for Leave to File Documents in Spanish filed by defendants (**docket entries 2223, 2224, 2225, 2226, 2227, 2228, 2229 & 2230**) are GRANTED.

The Motion Requesting Extension of Time to File Translation of Documents filed by defendants (**docket entry 2239**) is MOOT.

The Motion for Extension of Time to Answer Interrogatories and Request for Production of Documents filed by plaintiff in Civil No. 97-1200 (**docket entry 2257**) is MOOT.

The Motion for Extension of Time to Answer Interrogatories, Request for Admissions and Request for Production of Documents filed by plaintiffs in Civil No. 97-2596 (**docket entry 2258**) is MOOT.

The Motion for Extension of Time to Answer Interrogatories and Request for Production of Documents filed by plaintiff in Civil No. 97-1357 (**docket entry 2259**) is MOOT.

The Motion for Extension of Time to Answer Interrogatories, Request for Admissions and Request for Production of Documents filed by plaintiffs in Civil No. 97-2598 (**docket entry 2260**) is MOOT.

CIVIL 96-2443CCC

10

The Motion for Extension of Time to Answer Interrogatories, Request for Admissions and Request for Production of Documents filed by plaintiffs in Civil No. 97-2616 (**docket entry 2261**) is MOOT.

The Motion Requesting Extension of Time to Answer Defendants' Interrogatories, Request for Production of Documents and Request for Admissions filed by plaintiffs in Civil No. 97-1578, 97-2586, 97-2585, 97-2720 and 97-2718 (**docket entry 2263**) is MOOT.

The Motion for Leave to File Statements of Reimbursables and Accounts of the PSC Under Seal (**docket entry 2264**) is GRANTED.

The Motion for Leave to File Statements of Reimbursables and Accounts of Jorge Ortiz-Brunet Under Seal (**docket entry 2266**) is GRANTED.

The Motion Requesting Leave to File Document Under Seal filed by defendants (**docket entry 2268**) is GRANTED.

The Joint Stipulation Regarding Economic Damages filed in Civil No. 97-1172 (**docket entry 2270**) is NOTED.

The Motion for Leave to File Reimbursables and Accounts of Former Member of the Plaintiffs' Steering Committee Andrés Guillemard-Noble Under Seal (**docket entry 2271**) is GRANTED.

The Motion for Extension of Time to Answer Interrogatories and Request for Production of Documents filed by plaintiff in Civil No. 97-1200 (**docket entry 2274**) is MOOT.

CIVIL 96-2443CCC

11

The Motion to Request Leave to File Second Amended Complaint filed by plaintiffs in Civil No. 97-1153 (**docket entry 2275**) is GRANTED. The tendered Second Amended Complaint is ORDERED FILED.

The Motion to Request Leave to File Amended Complaint filed by plaintiffs in Civil No. 97-2686 (**docket entry 2276**) is GRANTED. The tendered Amended Complaint is ORDERED FILED.

The Motion to Request Leave to File Second Amended Complaint filed by plaintiffs in Civil No. 97-1503 (**docket entry 2277**) is GRANTED. The tendered Second Amended Complaint is ORDERED FILED.

The Motion to Request Leave to File Second Amended Complaint filed by plaintiffs in Civil No. 97-2240 (**docket entry 2278**) is GRANTED. The tendered Second Amended Complaint is ORDERED FILED.

The Motion for Extension of Time to Answer Interrogatories, Request for Admissions and Request for Production of Documents filed by plaintiffs in Civil No. 97-2616 (**docket entry 2279**) is MOOT.

The Motion for Extension of Time to Answer Interrogatories, Request for Admissions and Request for Production of Documents filed by plaintiffs in Civil No. 97-2598 (**docket entry 2280**) is MOOT.

CIVIL 96-2443CCC

12

The Motion for Extension of Time to Answer Interrogatories, Request for Admissions and Request for Production of Documents filed by plaintiffs in Civil No. 97-2596 (**docket entry 2285**) is GRANTED.

The Motion for Extension of Time to Answer Interrogatories and Request for Production of Documents filed by plaintiff in Civil No. 97-1357 (**docket entry 2286**) is GRANTED.

SO ORDERED.

At San Juan, Puerto Rico, on January 12, 2001.


CARMEN CONSUELO CEREZO
United States District Judge